

JARVIOUS COTTON AND
KEITH BROWN

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:96-CV-141BN

KIRK FORDICE, ET AL.

DEFENDANTS

ORDER

This cause is before the Court on the Plaintiffs' Objections to the Report and Recommendation of the United States Magistrate Judge. Having considered the Objections, the Report and Recommendation of the United States Magistrate Judge and the court file in this matter, the Court finds that the Report and Recommendation of the United States Magistrate Judge should be adopted as the opinion of this Court, and this matter should be dismissed with prejudice.

The Objections asserted by the Plaintiffs are the same issues which were raised before the Magistrate Judge in response to the Defendants' Motion for Summary Judgment. The Court agrees with the findings and legal reasoning of the Magistrate Judge and therefore need not specifically address each of the issues raised by the Plaintiffs. It is sufficient to note that pursuant to binding United States Supreme Court precedent, a state may disenfranchise certain convicted felons, without disenfranchising others. See Richardson v. Ramirez, 418 U.S. 24, 54-56 (1974). The Court agrees with the Magistrate Judge that both of the Plaintiffs in this case

should be disenfranchised because of the crimes for which they were convicted, murder and armed robbery, respectively.

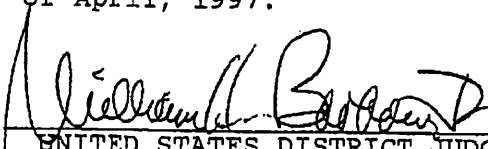
The Court further agrees with the conclusion of the Magistrate Judge that Plaintiffs' claims of taxation without representation are simply frivolous and should be dismissed. See Report and Recommendation of the United States Magistrate Judge at 7.

IT IS THEREFORE ORDERED that the Plaintiffs' Objections to the Report and Recommendation of the United States Magistrate Judge should be and hereby are denied.

IT IS FURTHER ORDERED that the Report and Recommendation of the United States Magistrate Judge is hereby adopted as the opinion of the Court in this case.

A Final Judgment consistent with this Order will be entered on this date.

SO ORDERED this the 7th day of April, 1997.


UNITED STATES DISTRICT JUDGE

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